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May 12, 2023

**VIA ECF**

The Honorable Valerie Figueredo  
 United States District Court  
 Southern District of New York  
 500 Pearl Street, Courtroom 17A  
 New York, New York 10007

Re: Pierre v. City of New York, et al., No. 1:20-cv-05116-ALC-VF

Dear Judge Figueredo:

We represent Plaintiffs in the above-referenced action and write, pursuant to Your Honor's Individual Practices Rule I(g), to respectfully request leave to file documents under seal.

Contemporaneously with the instant request, Plaintiffs submit a memorandum of law in support of their motion for leave to file an Amended Complaint (the "Motion for Leave to Amend"). In support of the Motion for Leave to Amend, Plaintiffs submit Exhibit 2, which Defendant Bloomberg L.P. has designated as "Confidential."

Plaintiffs propose that the "Viewing Level" be court personnel and all attorneys of record in this case.

Accordingly, in compliance with the parties' confidentiality agreement, Plaintiffs respectfully request permission to file under seal Exhibit 2 of their Motion to for Leave to Amend.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

Innessa M. Huot

SO ORDERED

VALERIE FIGUEREDO

United States Magistrate Judge

Dated: 3-7-2024

Based on the standard set forth by the Second Circuit in Lugosch v. Pyramid Co. of Onondaga, 435 F.3d 110, 124 (2d Cir. 2006), the request to seal is **DENIED without prejudice**. As explained in the Court's prior order denying a similar request, "broad citations to a Protective Order do not satisfy Lugosch and are . . . insufficient to overcome the presumption of access as the mere existence of a confidentiality order says nothing about whether complete reliance on the order to avoid disclosure is reasonable." ECF No. 330 (citation, internal quotation marks, and internal alterations omitted). Plaintiffs are permitted to submit a renewed letter motion to seal/redact, articulating specifically why sealing is appropriate under the Lugosch standard. Any such letter motion should be submitted by **March 22, 2024**. The Clerk of Court is directed to maintain ECF No. 301 under seal pending submission of a renewed motion. The Clerk of Court is also respectfully directed to terminate the motion at ECF No. 297.